1 2 3 4 5	Patrice L. Bishop (182256) pbishop@ssbla.com STULL, STULL & BRODY 9430 W. Olympic Blvd., Suite 400 Beverly Hills, CA 90212 Tel: 310-209-2468 Fax: 310-209-2087 Local Counsel for Plaintiff	
6	(Additional Counsel on Signature Page)	
7 8	UNITED STATES DISTRICT COURT	
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
10		
11		
12 13 14 15 16 17 18 19 20 21	RONALD MARTIN, Derivatively on Behalf of Facebook, Inc., Plaintiff, v. MARK ZUCKERBERG, MARC L. ANDREESSEN, ERSKINE B. BOWLES, SUSAN D. DESMOND-HELLMANN, REED HASTINGS, JAN KOUM, SHERYL K. SANDBERG and PETER A. THIEL, Defendants, and FACEBOOK, INC.,	Case No. 4:18-cv-01834 HSG REQUEST TO APPEAR VIA TELEPHONE AT CASE MANAGEMENT CONFERENCE AND HEARING ON MOTION TO INTERVENE; DECLARATION OF PATRICE L. BISHOP; ORDER THEREON Date: August 27, 2018 Time: 3:00 p.m. Ctrm: Courtroom 2, 4th Floor 1301 Clay Street Oakland, CA 94612 Judge: Haywood S. Gilliam, Jr. Date First Action Filed: March 22, 2018
22	Nominal Defendant.	
23		I
24		
25		
26		
27		
28		

REQUEST TO APPEAR VIA TELEPHONE CASE NO. 4:18-cv-01834 HSG

28

Pursuant to Civil L.R. 16-10(a), plaintiff Ronald Martin ("Plaintiff") respectfully requests that his counsel, Lynda J. Grant of TheGrantLawFirm, PLLC, be permitted to appear telephonically at the Case Management Conference and Motion Hearing currently scheduled for June 27, 2018, at 3:00 p.m., in the above-entitled matter.

Ms. Grant is located in New York, New York. As provided for in the attached Declaration of Patrice L. Bishop, her current schedule in other cases, including an appearance at a mediation on June 26, 2018, in New York, disables her from appearing at the CMC and Motion hearing in person. *See* Declaration of Patrice L. Bishop ("Bishop Decl.) at ¶ 4. Moreover, she has agreed as one of the members of the putative Executive Committee to provide Lead Counsel with authority to appear and make any presentations. *See* Dkt. 38. Plaintiff's local counsel, Patrice L. Bishop, will be travelling at the time of the hearing for another matter. *See* Bishop Declaration at ¶ 4.

Ms. Grant's has submitted an Application for Admission of Attorney Pro Hac Vice (*see* Dkt. 48) which is currently pending before this Court but has not yet been ordered by the Court.

5 Dated: June 21, 2018

By: <u>s/Patrice L. Bishop</u> Patrice L. Bishop

STULL, STULL & BRODY

9430 West Olympic Blvd., Suite 400

Beverly Hills, CA 90212 Tel: (310) 209-2468 Fax: (310) 209-2087 Email: service@ssbla.com

Local Counsel for Ronald Martin, Derivatively on Behalf of Nominal Defendant Facebook, Inc.

Lynda J. Grant THEGRANTLAWFIRM, PLLC 521 Fifth Avenue, 17th Floor New York, NY 10175

Tel: (212) 292-4441 Fax: (212) 292-4442

Email: lgrant@grantfirm.com

Lead Counsel for Ronald Martin, Derivatively on Behalf of Nominal Defendant Facebook, Inc.

DECLARATION OF PATRICE L. BISHOP

I, Patrice L. Bishop, declare and say that:

- 1. I am a senior attorney with the law firm of Stull, Stull & Brody ("SSB"), a member of the State Bar of California, and admitted to practice before this Court. I am local counsel of record for plaintiff Ronald Martin ("Plaintiff"). Pursuant to Civil L.R. 16-10(a), I submit this Declaration in support of Request to Appear Via Telephone at Case Management Conference and Hearing on Motion to Intervene. I have personal knowledge of the matters stated herein and if called as a witness could and would competently testify thereto.
- 2. Plaintiff filed the above-entitled derivative action on March 23, 2018. On May 21, 2018, Plaintiff stipulated that his action should be consolidated with five related actions. *See* Dkt. 38. As part of that Stipulation to Consolidate Related Actions, Appoint Lead Counsel, and Related Matters, Plaintiff agreed that his counsel, Lynda J. Grant of TheGrantLawFirm, PLLC, if this Court was so amenable, would act as member of an Executive Committee under Lead Counsel, Cotchett, Pitre & McCarthy, LLP ("Cotchett"). *See* Dkt. 38.
- 3. I have been informed that one or more attorneys from Cotchett will appear in person at the hearing.
- 4. Ms. Grant has informed me that she has a mediation scheduled in New York for the day prior to the Case Management Conference and Motion to Intervene Hearing, disabling her from appearing in person. Furthermore, I will be travelling at or about the time of hearing after a deposition in another matter, and therefore am unable to appear in person.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the above is true and correct.

Executed this 20th day of June, 2018, at Beverly Hills, California.

/s/ Patrice L. Bishop Patrice L. Bishop Declarant

DECLARATION OF PATRICE L. BISHOP IN SUPPORT OF REQUEST TO APPEAR VIA TELEPHONE CASE NO. 4:18-cv-01834 HSG

- 2 -

June 21, 2018

ORDER

The request of Lynda J. Grant to make a telephonic appearance at the June **27**, 2018, 3 p.m. Case Management Conference and Motion to Intervene is GRANTED. Counsel shall contact CourtCall at (866) 582-6878 to make arrangements for the telephonic appearance.

Hay

United States District Judge